

1 Constantine P. Economides (*pro hac vice*)
2 (Florida Bar No. 118177)
3 Brianna K. Pierce
4 (CA Bar No. 336906)
5 FREEDMAN NORMAND
6 FRIEDLAND LLP
7 1 SE 3rd Avenue, Suite 1240
8 Miami, FL 33131
9 Tel: (305) 971-5943
10 Email: ceconomides@fnf.law
11 bpierce@fnf.law

12 *Counsel for Plaintiff*

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ARIEL ABITTAN,

Case No. 5:20-CV-09340-NC

Plaintiff,

PLAINTIFF'S NOTICE OF MOTION
AND MOTION FOR EXTENSION OF
TIME

v.

LILLY CHAO (A/K/A TIFFANY
CHEN, A/K/A YUTING CHEN) et al.,

Judge: Hon. Nathanael Cousins

Defendants.

LILLY CHAO (A/K/A TIFFANY
CHEN, A/K/A YUTING CHEN) et al.,

NOTICE OF MOTION AND MOTION FOR EXTENSION OF TIME

TO ALL PARTIES AND TO THEIR COUNSEL:

PLEASE TAKE NOTICE that pursuant to Civil Local Rule 6-1(b), Civil Local Rule 6-3, and Federal Rules of Civil Procedure 6(b), Plaintiff Ariel Abittan respectfully requests the Court grant an extension, up to and including July 7, 2023, to respond to the Hansen Law Firm's Bill of Costs (ECF No. 199).

The instant motion is based on this Notice of Motion, Motion, the declaration of Constantine P. Economides, and the below.

Dated: June 29, 2023

Respectfully Submitted,

/s/ Constantine P. Economides

Constantine P. Economides (*pro hac vice*)

Brianna K. Pierce (CBN 336906)

FREEDMAN NORMAND FRI
1-SE Third Street, San 12-52

1 SE Third Avenue, Suite 100
Milwaukee, WI 53214

Miami, Florida 33131
T-1 (305) 871-5843

Tel: (305) 971-5943
Email: cameronid@f

Counsel for Plaintiff

1 Plaintiff respectfully requests the Court grant an extension of time, up to and including
 2 July 7, 2023, to respond to the Hansen Law Firm's Bill of Costs (ECF No. 199). In support,
 3 Plaintiff states as follows:

4 1. This motion meets the requirements of Local Rule 6-3, Motion to Change
 5 Time, which provides, in pertinent part, that such motion must include the following: (a) Form
 6 and Content. A motion to enlarge or shorten time may be no more than 5 pages in length and
 7 must be accompanied by a proposed order and by a declaration that: (1) Sets forth with
 8 particularity the reasons for the requested enlargement or shortening of time; (2) Describes
 9 the efforts the party has made to obtain a stipulation to the time change; (3) Identifies the
 10 substantial harm or prejudice that would occur if the Court did not change the time; and ...
 11 (5) Discloses all previous time modifications in the case, whether by stipulation or Court
 12 order; (6) Describes the effect the requested time modification would have on the schedule
 13 for the case.

14 2. Plaintiff's response to the Hansen Law Firm's Bill of Costs is presently due
 15 on June 30, 2023. *See* ECF No. 200. Plaintiff respectfully request a 7-day extension, up to
 16 and including July 7, 2023, to respond to ECF No. 199.

17 3. Plaintiff makes this motion in good faith and not for dilatory purposes.

18 4. Plaintiff's counsel, Constantine P. Economides, has been in trial in Florida every
 19 day from Monday, June 26, 2023, to Thursday, June 29, 2023, and has an in-person mediation in
 20 Los Angeles on June 30, 2023. Plaintiff's other counsel, Brianna Pierce, is on a preplanned
 21 vacation. As a result, Plaintiff's counsel need additional time to review and respond to the Hansen
 22 Law Firm's Bill of Costs.

23 5. Absent this extension, Plaintiff would be unduly prejudiced in formulating a
 24 response to ECF No. 199.

25 6. The previous time modifications in this case include extension of Defendants' time
 26 to respond to the Complaint (ECF Nos. 21, 24, 31, 44, 95), Defendants' time to respond to a Motion
 27 for an order allowing alternative service (ECF No. 97), the case management conference (ECF Nos.
 28 22, 44, 67, 79, 90, 111, 116, 127, 151, 156, 170, 192), and Plaintiff's deadline to serve Defendants

1 by alternative means (ECF No. 113). This is the first request for an extension of time to respond to
2 ECF No. 199.

3 7. The requested time modification will not impact the schedule for this case,
4 particularly because Plaintiff has moved to voluntarily dismiss the case.

5 8. On June 29, 2023, Plaintiff's counsel reached out to all counsel and asked whether
6 there would be an opposition to the requested extension. The Hansen Law Firm stated that they
7 would oppose the request. *See* Declaration of Constantine P. Economides at Exhibit A.

8 9. This motion meets all of the requirements necessary for the Court to grant it,
9 including the requirements of Local Rule 6-3, Motion to Change Time.

10

11 Dated: June 29, 2023

Respectfully Submitted,

12

13 */s/ Constantine P. Economides*

14 Constantine P. Economides (pro hac vice)

15 Brianna K. Pierce (CBN 336906)

16 FREEDMAN NORMAND

17 FRIEDLAND LLP

18 1 SE Third Avenue, Suite 250

19 Miami, Florida 33131

20 Tel: (305) 971-5943

21 Email: ceconomides@fnf.law

22 bpierce@fnf.law

23

24 *Counsel for Plaintiff*

25

26

27

28